

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 INVESERVE, INC.,) Case No. CV 14-2822-UA (PJWx)
11 Plaintiff,) [PROPOSED] ORDER SUMMARILY REMANDING
12 v.) IMPROPERLY-REMOVED ACTION
13 LINDA HERRERA, ET AL.,)
14 Defendants.)
15 _____)

16 Before the Court is an unlawful detainer action that has been
17 removed from the Los Angeles County Superior Court. For the following
18 reasons, the case is summarily remanded to the state court.

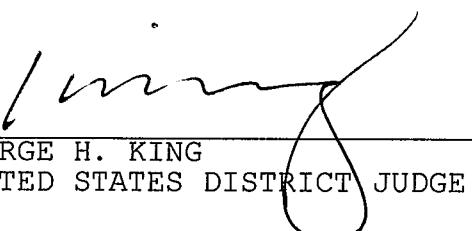
19 On April 11, 2014, Defendant Marco Hernandez, having been sued in
20 the Superior Court of Los Angeles in what appears to be a routine
21 unlawful detainer action, removed the action to this court. Simply
22 stated, because Plaintiff could not have brought this action in
23 federal court in the first place (because there is no subject matter
24 jurisdiction), removal of the action is improper. 28 U.S.C.
25 § 1441(a); see *Exxon Mobil Corp. v. Allapattah Svcs., Inc.*, 545 U.S.
26 546, 563 (2005). The case does not meet the requirements of 28 U.S.C.
27 § 1331 because it does not raise a federal question. See 28 U.S.C.
28 §§ 1331. And it does not meet the requirements of diversity

1 jurisdiction because, even assuming that Defendant could establish
2 that there was complete diversity of citizenship between the parties,
3 he has not shown that the amount in controversy exceeds \$75,000, as
4 the Complaint makes clear that there is less than \$10,000 in dispute.
5 See 28 U.S.C. § 1332.

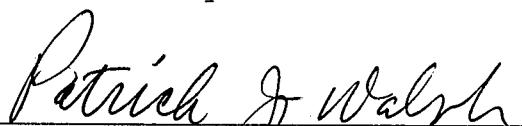
6 Accordingly, IT IS ORDERED that (1) pursuant to 28 U.S.C.
7 § 1447(c), this matter is REMANDED to the Superior Court of
8 California, County of Los Angeles, 275 Magnolia, Long Beach,
9 California 90802; (2) the clerk shall send a certified copy of this
10 Order to the state court; and (3) the clerk serve copies of the Order
11 on the parties.

12 IT IS SO ORDERED.

13 DATED: 4/27/14

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15 
GEORGE H. KING
UNITED STATES DISTRICT JUDGE

16 Presented by:

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18 PATRICK J. WALSH
19 UNITED STATES MAGISTRATE JUDGE

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